

22651 U.S. PTO

UTILITY  
PATENT APPLICATION  
TRANSMITTAL(Only for new non-provisional  
applications under 37 CFR 1.53(b))

Title of Invention

2'-Fluoronucleosides

Named Inventor(s)

Schinazi, et al.

Attorney Docket

18085.105232 (EMU 2000 CIP CON2 US)

Express Mail Label No.

EV242853098US

17548 U.S. PTO  
10/796529

030804

## APPLICATION ELEMENTS

ADDRESS TO: Mail Stop Patent Application  
The Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification, Claims,  
and Abstract Total Pages **142**
4. ☐ Drawings Total Sheets **0**
5. Oath or Declaration Total Pages
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17  
completed)
- (i) ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior  
application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76.
7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence  
Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statement verifying identity of above  
copies

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement  
(when there is an assignee)  
☐ Power of Attorney by assignee
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)  
PTO-1449  
☐ \_\_\_\_\_ Copies of IDS Citations
13. ☒ Preliminary Amendment **25 pp.**
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ Other: Request for Filing a Continuation  
Application Under 37 CFR § 1.53(b) 2 pp.

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 10/061,128

Prior application information: Examiner: Jezia Riley Group/Art Unit: 1637

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS:

Sherry M. Knowles  
45<sup>th</sup> Floor  
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Atlanta, Georgia 30303By: Sherry Knowles w/ express permission 36,174 Reg. No. 33,052  
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## FEE TRANSMITTAL

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Schinazi, et al.

Filing Date: March 8, 2004

Title: 2'-Fluoronucleosides

The filing fee is calculated as shown below:

### 1. FILING FEE:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$375.00		\$770.00	770.00
<input type="checkbox"/> DESIGN FILING FEE	\$165.00		\$330.00	
<input type="checkbox"/> PLANT FILING FEE	\$255.00		\$510.00	
<input type="checkbox"/> REISSUE FILING FEE	\$370.00		\$740.00	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80.00		\$160.00	
SUBTOTAL (1)				770.00

### 2. CLAIMS:

SMALL ENTITY					LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	33- 20 =	0	x \$9 =		13 x \$18 =	\$234.00
INDEP. CLAIMS	1 - 3 =	0	x \$42 =		0 x \$84 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+\$140 =		+ \$280 =	\$0.00
SUBTOTAL (2)						\$0.00

### 3. ADDITIONAL FEES:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH				
<input type="checkbox"/> NON-ENGLISH SPECIFICATION				
<input type="checkbox"/> OTHER				
SUBTOTAL (3)				

**TOTAL FILING FEES: \$1004.00**

A check is enclosed for the amount: \_\_\_\_\_

☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0980.

KING & SPALDING

45<sup>th</sup> Floor, 191 Peachtree Street, N.E.

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By: Sherry M. Knowles *with express permission* Date: March 8, 2004

Sherry M. Knowles, Attorney for Applicant Reg. No. 33,052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : Unassigned  
(Continuation of U.S. Application No. 10/061,128)  
Applicant : Schinazi, *et al.*  
Filed : Herewith  
Title : 2'-Fluoronucleosides  
  
TC/AU : Unassigned (1637)  
Examiner : Unassigned (Jezia Riley)  
  
Docket No. : 18085.105232 (EMU 2000 CIP CON2)

Commissioner for Patents  
Mail Stop Patent Application  
P. O. Box 1450  
Alexandria, VA 22313-1450

March 8, 2004

**REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 CFR § 1.53(b)**

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Sir:

This is a request by Raymond F. Schinazi, Dennis C. Liotta, Chung K. Chu, J. Jeffrey McAtee, Junxing Shi, Yongseok Choi, Kyeong Lee, and Joon H. Hong for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application U.S. Serial No. 10/061,128, filed January 30, 2002, which is a continuation application of U.S. patent application number 09/257,130, filed on February 25, 1999, now U.S. Patent No. 6,348,587, which claims priority to U.S. provisional application number 60/075,893, filed on February 25, 1998, and U.S. provisional application number 60/080,569, filed on April 3, 1998.

Enclosed is a copy of the prior application U.S.S.N. 10/061,128 as originally filed. The application includes 142 pages of Specification, Claims, and Abstract.

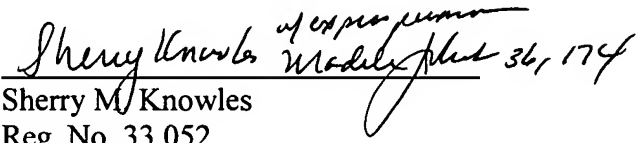
Assignments to Emory University and the University of Georgia Research Foundation were recorded April 16, 1999 at Reel 9892, Frame 0423 in the parent application. Copies of executed Declarations for Patent Application and Powers of Attorney in the parent application are enclosed.

Request of Filing Continuation Application  
Continuation of U.S.S.N. 10/061,128  
March 8, 2004

A Preliminary Amendment is also enclosed. Applicants request entry of the Preliminary Amendment prior to examination of this application.

The Commissioner for Patents is authorized to charge the required fee of \$1004.00 for filing this continuation application, as well as any additional fees which may be required to Deposit Account No. 11-0980.

Respectfully submitted,

  
Sherry M. Knowles  
Reg. No. 33,052

Date: March 8, 2004  
Express Mail Label EV242853098US

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**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10**  
**FOR UTILITY PATENT APPLICATION FILING**

I hereby certify that this Request for filing a Continuation Application, Preliminary Amendment, Transmittal of Utility Patent Application, Utility Patent Application, and Fee Transmittal, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addresses" services under 37 CFR 1.10, Mailing Label Number EV242853098US addressed to Mail Stop PATENT APPLICATION; The Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

  
Susanne Hollinger

Date: March 8, 2004

Attorney Docket: 18085.105232 (EMU 2000 CIP CON2)